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MAY 19 2008

In re Application of
Kingsley A. Whipple
Application No. 10/728461
Filing or 371(c) Date: 12/05/2003
Attorney Docket Number: 7142.02.01

OFFICE OF PETITIONS
DECISION
ON PETITION

This is a decision on the Petition to Revive Patent Application Unintentionally Abandoned Under 37 CFR 1.137(b), filed April 16, 2008, and supplemented May 15, 2008, to revive the above-identified application.

This Petition is hereby **granted**.


The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowance and Issue Fee Due, mailed April 24, 2007. The Notice set a non-extendable three (3) month period for reply. No reply having been received, the application became abandoned July 25, 2007. An issue fee payment was submitted July 24, 2007; however, the fee payment was deficient.

Applicant files the present renewed petition and the balance of the issue due.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee and the publication fee; (2) the petition fee; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

This application is being referred to the Office of Data Management for processing into a patent.


Derek L. Woods
Attorney
Office of Petitions